

FIRST REGULAR SESSION

HOUSE BILL NO. 459

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAHR (Sponsor), PARKINSON, HICKS, CORNEJO, HARRIS, MCKENNA, FRAME, MCCAHERTY, JONES (50), CONWAY (104), SOMMER, HAEFNER, ENGLUND, KRATKY, FUNDERBURK, LEARA, BURNS, ENGLISH, PIERSON, GATSCHENBERGER, ZERR, PACE, BLACK, MONTECILLO, KOENIG, NICHOLS, ROORDA, ELLINGER, SPENCER, CURTMAN AND STREAM (Co-sponsors).

1050L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 99.825, RSMo, and to enact in lieu thereof one new section relating to adoption of ordinances for redevelopment.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 99.825, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 99.825, to read as follows:

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that
16 each affected taxing district is given written notice of such changes at least seven days prior to
17 the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance
18 approving a redevelopment plan or redevelopment project, or designating a redevelopment area,
19 changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas
20 without a further hearing, if such changes do not enlarge the exterior boundaries of the
21 redevelopment area or areas, and do not substantially affect the general land uses established in
22 the redevelopment plan or substantially change the nature of the redevelopment projects,
23 provided that notice of such changes shall be given by mail to each affected taxing district and
24 by publication in a newspaper of general circulation in the area of the proposed redevelopment
25 not less than ten days prior to the adoption of the changes by ordinance. After the adoption of
26 an ordinance approving a redevelopment plan or redevelopment project, or designating a
27 redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the
28 general land uses established pursuant to the redevelopment plan or changing the nature of the
29 redevelopment project without complying with the procedures provided in this section pertaining
30 to the initial approval of a redevelopment plan or redevelopment project and designation of a
31 redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or
32 redevelopment plan may be held simultaneously.

33 2. **(1)** Effective January 1, 2008, **except as provided in subdivision (2) of this**
34 **subsection,** if, after concluding the hearing required under this section, the commission makes
35 a recommendation under section 99.820 in opposition to a proposed redevelopment plan,
36 redevelopment project, or designation of a redevelopment area, or any amendments thereto, a
37 municipality desiring to approve such project, plan, designation, or amendments shall do so only
38 upon a two-thirds majority vote of the governing body of such municipality.

39 **(2) (a) Beginning August 28, 2013, approval in the following counties and**
40 **municipalities shall be accomplished as provided in this subdivision:**

41 **a. Any county with a charter form of government and with more than nine hundred**
42 **fifty thousand inhabitants;**

43 **b. Any county with a charter form of government and with more than three**
44 **hundred thousand but fewer than four hundred fifty thousand inhabitants;**

45 **c. Any county with a charter form of government and with more than two hundred**
46 **thousand but fewer than three hundred fifty thousand inhabitants;**

47 **d. Any municipality located in any county listed in subparagraphs a. to c. of this**
48 **paragraph.**

49 **(b) In all counties and municipalities listed in paragraph (a) of this subdivision, no**
50 **county or municipality shall approve such project, plan, designation, or amendments**

51 **thereto unless a majority of the commission members vote to approve such project, plan,**
52 **designation, or amendments. If a majority of the commission does not approve, any such**
53 **county or municipality desiring to approve such plan, project, designation, or amendments**
54 **shall do so only upon the approval of the governing body of any taxing districts whose real**
55 **property or sales tax is included in the original or amended redevelopment area,**
56 **redevelopment project, or redevelopment plan. Such approval by the governing body of**
57 **such taxing districts shall be by resolution, and such resolution shall be adopted within**
58 **ninety days of the countywide commission rejection of such project, plan, designation, or**
59 **amendments.**

60 3. Tax incremental financing projects within an economic development area shall apply
61 to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers,
62 traffic control systems and devices, water distribution and supply systems, curbing, sidewalks
63 and any other similar public improvements, but in no case shall it include buildings.

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